

To: Fraser Valley Regional District Board

Date: 2024-04-25

From: Jaime Van Nes, Director of Legislative Services

File No: 0870-25-HV Firehall

Subject: Assignment and Assumption Agreement for Sale of Rogers Telecommunication Tower located at 47100 Laurel Road, Hemlock Valley, Electoral Area C

RECOMMENDATION

THAT the Fraser Valley Regional District Board authorize its signatories to execute an agreement to assign the Rogers Licence Agreement for its telecommunication site located at 47100 Laurel Road, Hemlock Valley, Electoral Area C to Redwood Infrastructure LP for the remainder of the existing term to October 31, 2031.

BACKGROUND

In an effort to improve high-speed wireless voice and data service to residents, business and first responders in Hemlock Valley, Rogers Communications approached the FVRD about the installation of a 20 metre tall telecommunications tower at 47100 Laurel Road in Hemlock Valley. This property is owned by the FVRD, is the site for the Hemlock Valley Volunteer Fire Department Hall, and is also adjacent to an existing Telus hydro pole installation.

After a planning referral process, the FVRD Board passed a resolution in September 2021 authorizing its signatories to enter into a 10 year licence agreement with Rogers Communications, with an option to renew for an additional ten year term.

DISCUSSION

In early 2024, the FVRD was notified by Rogers Communications that the telecommunications tower covered under the 10 year licence agreement had been sold to Redwood Infrastructure LP, and has requested that the licence agreement be assigned to Redwood Infrastructure LP for the remainder of the existing term.

Staff have been advised by Rogers that that Redwood Infrastructure LP owns and operates over 150 towers across Canada. Redwood Infrastructure LP is owned and controlled by Birch Hill Equity Partners Management Inc., an equity firm located in Toronto, Ontario since 1994.

The assignment of this agreement to the new owner of the telecommunications tower will allow for the continuation of this arrangement, with the same terms and conditions that apply under the original Rogers Communications Licence Agreement. A similar request was brought forward to the Board for

an assignment and assumption agreement with respect to a Shaw Cablesystems telecommunication site on Sumas Mountain in July 2020.

COST

There are no costs associated with the Assignment and Assumption Agreement. The annual licence fees associated with the licence agreement for are as follows:

For years 1 to 5:	\$16,500, plus GST
For years 6 to 10:	\$18,150, plus GST
For years 11 to 15*:	\$19,965, plus GST
For years 16 to 20*:	\$21,961.50, plus GST

**Licence fees for years 11 through 20 are subject to the additional ten year renewal term.*

These annual licence fees are allocated to the Hemlock Valley Volunteer Fire Department service area.

CONCLUSION

In 2021, the FVRD entered into a licence agreement with Rogers Communications for the installation of a 20 metre telecommunications tower located at 47100 Laurel Road in Hemlock Valley. This property is owned by the FVRD and is also the site of the Hemlock Valley Volunteer Fire Department Hall. The licence agreement is for a 10 year term with the option to renew for an additional ten year term.

In early 2024, the FVRD was notified that Rogers Communications has sold its telecommunications tower to Redwood Infrastructure LP. An assignment of this agreement to the new owner will allow for a continuation of the licence agreement, with the same terms and conditions that apply under the original Rogers Communications Licence Agreement.

COMMENTS BY:

Kelly Lownsborough, Director of Corporate Services/CFO: Reviewed and supported.

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.